

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CHARBEL GEORGE SLAYBI,

Plaintiff,

v.

WORCESTER POLICE DEPARTMENT,

Defendant.

**CIVIL ACTION
NO. 24-40114-MRG**

**ORDER
April 22, 2025**

GUZMAN, D.J.

By Order dated September 9, 2024, the Court allowed plaintiff Charbel George Slaybi's motion for leave to proceed *in forma pauperis* and advised him that his complaint is subject to dismissal pursuant to 28 U.S.C. 1915(e)(2)(B). The Court's Order outlined the legal impediments to plaintiff's claims, including the failure to demonstrate this Court's jurisdiction and failure to state a plausible claim for relief. To the extent the allegations in the original complaint suggested a claim under the civil rights statute, 42 U.S.C. § 1983, plaintiff was advised that he could not assert a Section 1983 claim against the Worcester Police Department because a police department is not an entity subject suit under 42 U.S.C. § 1983.

In response to the Order, plaintiff filed an amended complaint. He also filed a notice for "do not contact" and a motion for expedited hearing. The amended complaint names the Worcester Police Department as defendant and asserts jurisdiction pursuant to the Federal Tort Claims Act ("FTCA"). The FTCA provides for a waiver of sovereign immunity for certain claims for damages arising from the tortious conduct of federal officers or employees acting within the scope of their office or employment. *See* 28 U.S.C. §§ 1346(b)(1), 2680. However,

the Worcester Police Department is not subject to suit under the FTCA, and is not subject to suit under 42 U.S.C. § 1983. To the extent plaintiff asserts claims against an unnamed police officer for willful and malicious destruction of property and attempted assault, this federal court is without jurisdiction over these state law claims.

For these reasons, the court dismisses this case pursuant to 28 U.S.C. 1915(e)(2)(B)(ii).

The Clerk shall enter a separate order of dismissal.

So Ordered.

/s/ Margaret R. Guzman
MARGARET R. GUZMAN
UNITED STATES DISTRICT JUDGE

Dated: April 22, 2025